IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No. 2320 of 1992

For Approval and Signature:

HONOURABLE MR.JUSTICE KS JHAVERI

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NIRMALABEN W/O.PURSHOTTAM RAMWANI & 1 - Appellant(s)
Versus
VOHRA MAHOMEDBHAI KARIMBHAI & 2 - Defendant(s)

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Appearance :
MR MK OZA for Appellant(s) : 1 - 2.
None for Defendant(s) : 1 - 2.
MR MD PANDYA for Defendant(s) : 3,

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CORAM : HONOURABLE MR.JUSTICE KS JHAVERI

Date : 04/08/2006

ORAL JUDGMENT

1. This appeal is at the instance of the original claimants for enhancement of compensation awarded by the Motor Accident Claims Tribunal,Mehsana by judgement and award dated 10th December 1991 passed in Motor Accident Claim Petition No.762 of 1986.

2. The case of the claimants is that while the appellant no.1 and her sun were travelling in S.T. Bus No.6631 another ST bus dashed the aforesaid bus as a result of which the applicants were injured. In view of this they have filed the aforesaid claim petition which was partly allowed.

3. Learned Advocate for the appellant submitted that the claimant should have been awarded Rs.20000/- under the head of pain shock and suffering and the rickshaw charges should have been more than Rs.1000/-

4. From the record it is found that Nirmalaben was admitted as indoor patient from 27.5.1986 to 6.6.1986 and earlier she was in hospital for two days. Looking to the stay in hospital and the treatment I am of the view that an amount of Rs.15000/- is sufficient under the head of pain, shock and suffering. The Tribunal has awarded a sum of Rs.1000/- towards rickshaw charges which is also quite sufficient. Learned Advocate for the appellant is not able to point out anything to show that the appellants are entitled to any higher amount on any count. No case is made out for enhancement of compensation. I am in complete agreement with the reasonings adopted and findings arrived at by the Tribunal. Hence this appeal is dismissed. No order as to costs.

[K.S. JHAVERI, J.]

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